



# City of NORFOLK

C: Dir., Department of City Planning

To the Honorable Council  
City of Norfolk, Virginia

October 13, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Special exception for the operation of a pawnshop at 6150 E. Virginia Beach Boulevard – Joseph Andress**

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved:

Marcus D. Jones, City Manager

Item Number:

**R-4**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Special exception – pawnshop
- IV. **Applicant:** Joseph Andress
- V. **Description:**
  - This request is to allow for the operation of a pawnshop in a building previously occupied by the Greater Dimension International Church.
  - The site is located within the Hollywood Homes/Maple Hall neighborhood, at the southwest corner of East Virginia Beach Boulevard and Kempsville Road.
  - Section 24-26 of the City Code establishes a limit of 16 pawnshops operating in the City.
    - Recently, Stark and Legum surrendered their pawnshop license, leaving the total number of licenses at 15.
    - The applicant obtained the pawnshop license from the Circuit Court, bringing the total back to 16 throughout the City.
  - Landscaping and site improvements to the site will include:
    - Landscaping between the parking lot and the adjacent properties to the north and west, in front of the building, and along the East Virginia Beach Boulevard frontage.
    - Curb and gutter will be installed along East Virginia Beach Boulevard.

Hours of Operation	9:00 a.m. until 6:00 p.m., Monday through Saturday Closed Sunday
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Staff point of contact: Chris Whitney at 823-1253, [chris.whitney@norfolk.gov](mailto:chris.whitney@norfolk.gov)

**Attachments:**

- Staff Report to CPC dated September 24, 2015 with attachments
- Proponents and Opponents
- Ordinances



# City of NORFOLK

## Planning Commission Public Hearing: September 24, 2015

Executive Secretary: George M. Homewood, AICP, CFM

Planner: Chris Whitney, CFM

Staff Report	Item No. 7	
Address	6150 East Virginia Beach Boulevard	
Applicant	Joseph Address	
Request	Special Exception	Pawnshop
Property Owner	Victoria J. Powell	
Site Characteristics	Site Area/Space	26,028 sq. ft./1,682 sq. ft.
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	Hollywood Homes/Maple Hall
	Character District	Suburban
Surrounding Area	North	C-2: Food Mart Featuring Murry's, Cilantro Bangladeshi Bistro
	East	C-2: Metro Lock & Key, Drive Time used car sales
	South	C-2 & TC-LASO (Thomas Corner Localized Alternative Sign Overlay District): Rite Aid Pharmacy
	West	Interstate 64





#### A. Summary of Request

- This request is to allow for the operation of a pawnshop in a building previously occupied by the Greater Dimension International Church.
- The site is located within the Hollywood Homes/Maple Hall neighborhood, at the southwest corner of East Virginia Beach Boulevard and Kempsville Road.
- Section 24-26 of the City Code establishes a limit of 16 pawnshops operating in the City.
  - Recently, Stark and Legum surrendered their pawnshop license, leaving the total number of licenses at 15.
  - The applicant obtained the pawnshop license from the Circuit Court, bringing the total back to 16 throughout the City.

#### B. Plan Consistency

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as commercial.

#### C. Zoning Analysis

##### i. General

- The site is surrounded primarily by commercial uses with Fairlawn Elementary School close by.
- The use is permitted in the C-2 district by special exception.

	Proposed
Hours of Operation	9:00 a.m. until 6:00 p.m., Monday through Saturday Closed Sunday

##### ii. Parking

- The site is located in the C-2 zoning district, which requires one off-street parking space per 250 square feet of building area, and one bike space per 2,000 square feet for a commercial use.
  - Given the square footage of the building, the proposed use as a pawnshop would be required to accommodate seven off-street parking spaces and one bike parking space.
  - There is sufficient off-street parking on site to meet the parking requirement and the applicant proposes to install one bike rack.

##### iii. Flood Zone

The property is in the X Flood Zone, which is a low risk flood zone.

#### D. Transportation Impacts

Institute of Transportation Engineers figures estimate that no additional trips will be generated by the proposed retail use at this vacant location currently zoned C-2.

**E. Impact on the Environment**

- The applicant has agreed to make landscaping and site improvements to the site in order to bring the site closer to conformance with the landscaping and buffering requirements in the *Zoning Ordinance*.
  - Perimeter landscaping, including five trees, will be installed between the parking lot and the adjacent property to the north.
  - Landscaping, including one tree, will be planted at the southwest corner of the site.
  - Landscaping will be installed along the front of the building and the East Virginia Beach Boulevard frontage.
  - Curb and gutter will be installed along the portion of East Virginia Beach Boulevard that is in front of the building.

**F. Impact on Surrounding Area/Site**

By requiring this use to conform to the conditions listed below, the proposed pawnshop should not have a negative effect on the surrounding neighborhood.

**G. Payment of Taxes**

The owner of the property is current on all real estate taxes.

**H. Civic League**

- Notice was sent to the Hollywood Homes/Maple Hall and Lake Taylor Civic Leagues on August 12.
- The applicant contacted the civic league on July 30.

**I. Communication Outreach/Notification**

- Legal notice was posted on the property on August 18.
- Legal notifications were mailed to all property owners within 300 feet of the property on September 10.
- Legal notification was placed in *The Virginian-Pilot* on September 10 and September 17.

**J. Recommendation**

Staff recommends that the special exception request be **approved** subject to the conditions shown below:

- (a) The hours of operation for the pawnshop shall be limited to 9:00 a.m. until 6:00 p.m. Monday through Saturday and closed on Sunday. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) Landscaping and site improvements shall be installed in accordance with the landscape and site improvement plan, attached hereto and marked "Exhibit A." The landscaping shall be installed and maintained in accordance with the approved plan.



- (c) Landscaping shall be installed and maintained at the base of any freestanding sign in accordance with the provisions of section 16-6 of the *Zoning Ordinance of the City of Norfolk*, 1992 (as amended). The landscaping shall be maintained at all times.
- (d) All landscaping installed on the site premises shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (e) All nonconforming signs on the site shall either be removed or brought into compliance with Chapter 16 of the *Zoning Ordinance of the City of Norfolk*, 1992 (as amended).
- (f) The establishment shall maintain a current, active business license at all times while in operation.
- (g) The ownership of any business license for the operation of the pawnshop shall not be transferred.
- (h) No pawnbroker shall sell any pawn or pledge item until (i) it has been in his possession for at least 45 days and (ii) a statement of ownership is obtained from the pawnor.
- (i) No pawnbroker shall ask, demand or receive a greater rate of interest than allowed by any applicable provision of law, including the provisions of the Norfolk City Code.
- (j) During all of the operating hours set forth in condition (a), above, the operator of the pawnshop shall admit to his place of business the chief law enforcement officer, or his designee, of the City of Norfolk, or any law enforcement official of the State of Virginia or federal government. The aforementioned officers shall be permitted to (i) examine all records required by law to be kept by the pawnshop business and any article listed in a record which is believed by the officer to be missing or stolen, and (ii) search for and take into possession any article known to him to be missing, or known or believed by him to have been stolen.
- (k) No auctions of any items shall be permitted on the site.
- (l) No motor vehicle shall be taken in pawn.
- (m) No item of any kind shall be taken in pawn, bought, or exchanged from any person who is a minor.
- (n) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (o) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions

of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, and any debris.

- (p) A copy of this special exception ordinance and Exhibits shall be available on the premises at all times for inspection, and a notice indicating that this special exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (q) No business license shall be issued until conditions (b), (c), and (e), have all been implemented fully on the site.

**Attachments**

Location Map

Zoning Map

Application

Landscape and Site Improvement Plan

Notice to the Hollywood Homes/Maple Hall and Lake Taylor Civic Leagues

## **Proponents and Opponents**

### **Proponents**

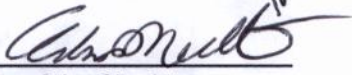
Joseph Andress – Applicant  
2653 Level Loop Road  
Virginia Beach, VA 23456

### **Opponents**

None



Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved: 

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A PAWNSHOP, CURRENTLY UNNAMED, ON PROPERTY LOCATED AT 6150 EAST VIRGINIA BEACH BOULEVARD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of a pawnshop, currently unnamed, on property located at 6150 East Virginia Beach Boulevard. The property which is the subject of this Special Exception is more fully described as follows:

Property located on the northwest corner of East Virginia Beach Boulevard and Kempsville Road fronting 202 feet, more or less, along the western line of Kempsville Road and 164 feet, more or less, along the northern line of East Virginia Beach Boulevard; premises numbered 6150 East Virginia Beach Boulevard.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the pawnshop shall be limited to 9:00 a.m. until 6:00 p.m. Monday through Saturday and closed on Sunday. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) Landscaping and site improvements shall be installed in accordance with the plan attached hereto and marked as "Exhibit A." The landscaping shall be installed and maintained in accordance with the approved plan.
- (c) Landscaping shall be installed and maintained at the base of any freestanding sign, in accordance with the provisions of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended).



- (d) All landscaping installed on the site premises shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (e) All nonconforming signs on the site shall either be removed or brought into conformance with the provisions of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended).
- (f) The establishment shall maintain a current, active business license at all times while in operation.
- (g) The ownership of any business license for the operation of the pawnshop shall not be transferred.
- (h) No pawnbroker shall sell any pawn or pledge item until (i) it has been in his possession for at least 45 days and (ii) a statement of ownership is obtained from the pawner.
- (i) No pawnbroker shall ask, demand or receive a greater rate of interest than allowed by any applicable provision of law, including the provisions of the Norfolk City Code.
- (j) During all of the operating hours set forth in condition (a), above, the operator of the pawnshop shall admit to his place of business the chief law enforcement officer, or his designee, of the City of Norfolk, or any law enforcement official of the State of Virginia or federal government. The aforementioned officers shall be permitted to (i) examine all records required by law to be kept by the pawnshop business and any article listed in a record which is believed by the officer to be missing or stolen, and (ii) search for and take into possession any article known to him to be missing, or known or believed by him to have been stolen. Upon application for this special exception, the operator of this facility, by his signature, expressed his consent to the provisions set forth in this condition related to examination, search, and possession of certain articles.
- (k) No auctions of any items shall be permitted on the site.

- (l) No motor vehicle shall be taken in pawn.
- (m) No item of any kind shall be taken in pawn, bought, or exchanged from any person who is a minor.
- (n) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (o) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, and any debris.
- (p) A copy of this special exception ordinance and Exhibits shall be available on the premises at all times for inspection, and a notice indicating that this special exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (q) No business license shall be issued until conditions (b), (c), and (e), have all been implemented fully on the site.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not



substantially diminish or impair the value of the property within the neighborhood in which it is located;

- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and

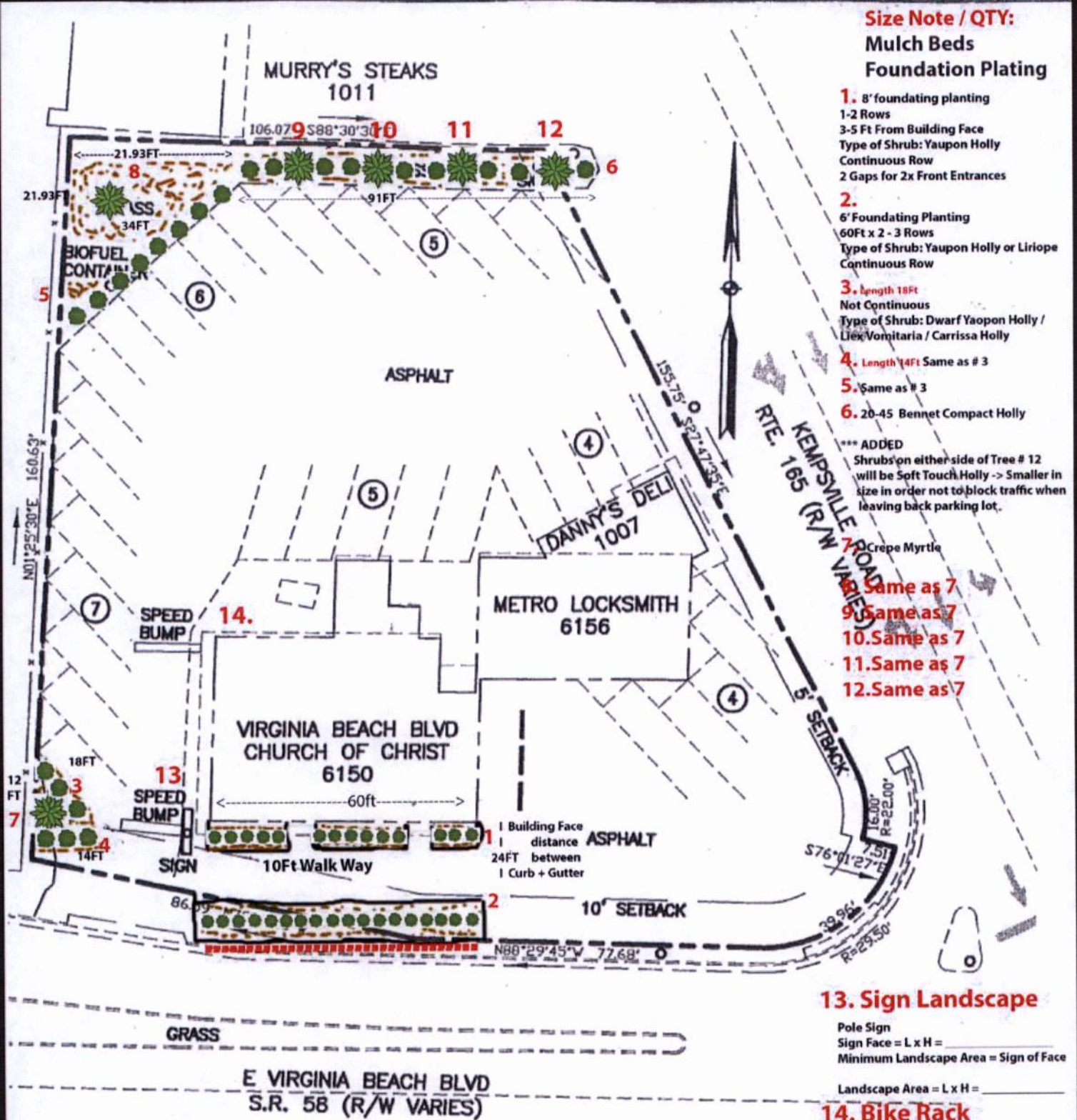
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

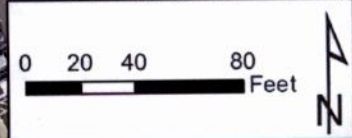
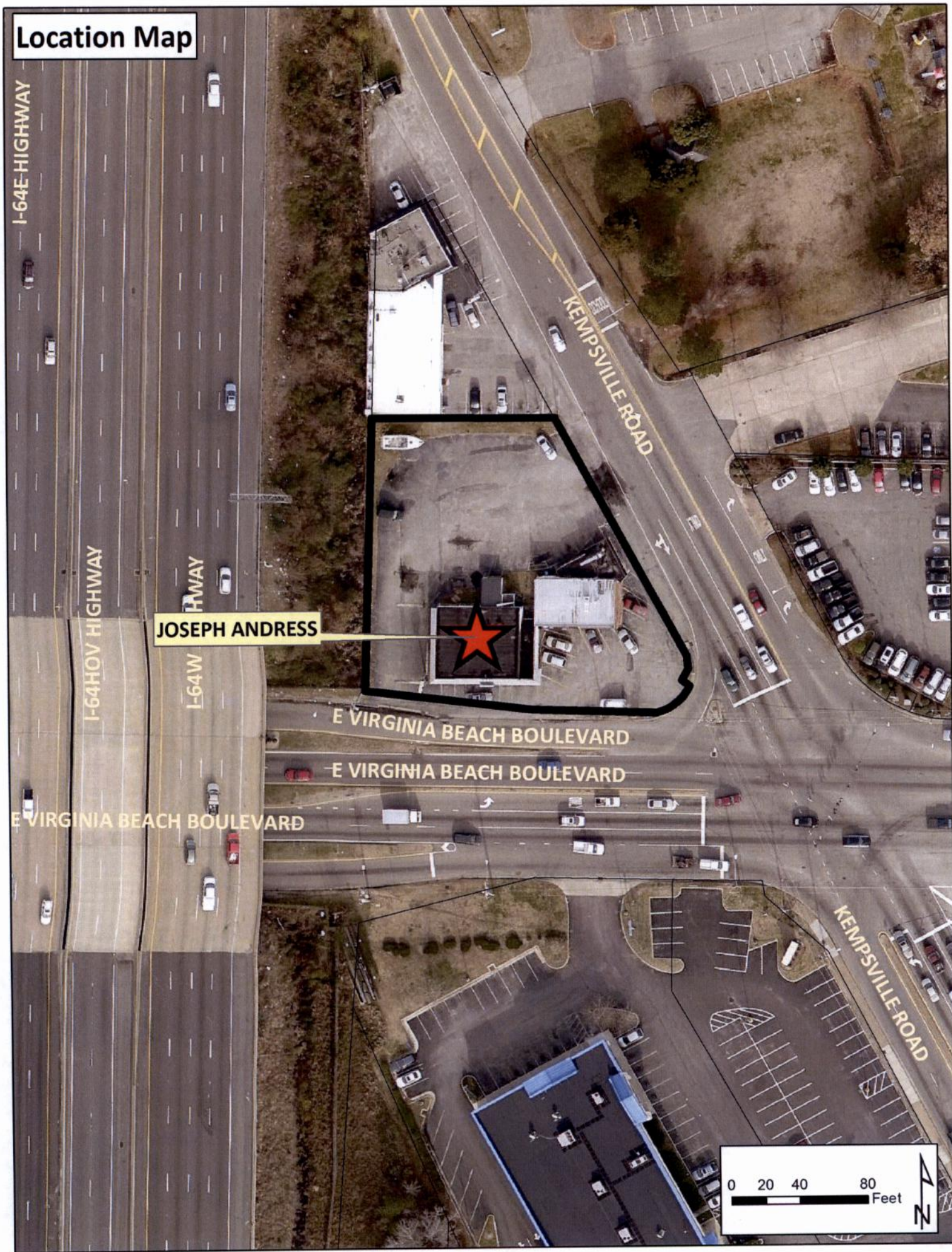
Exhibit A (1 page)





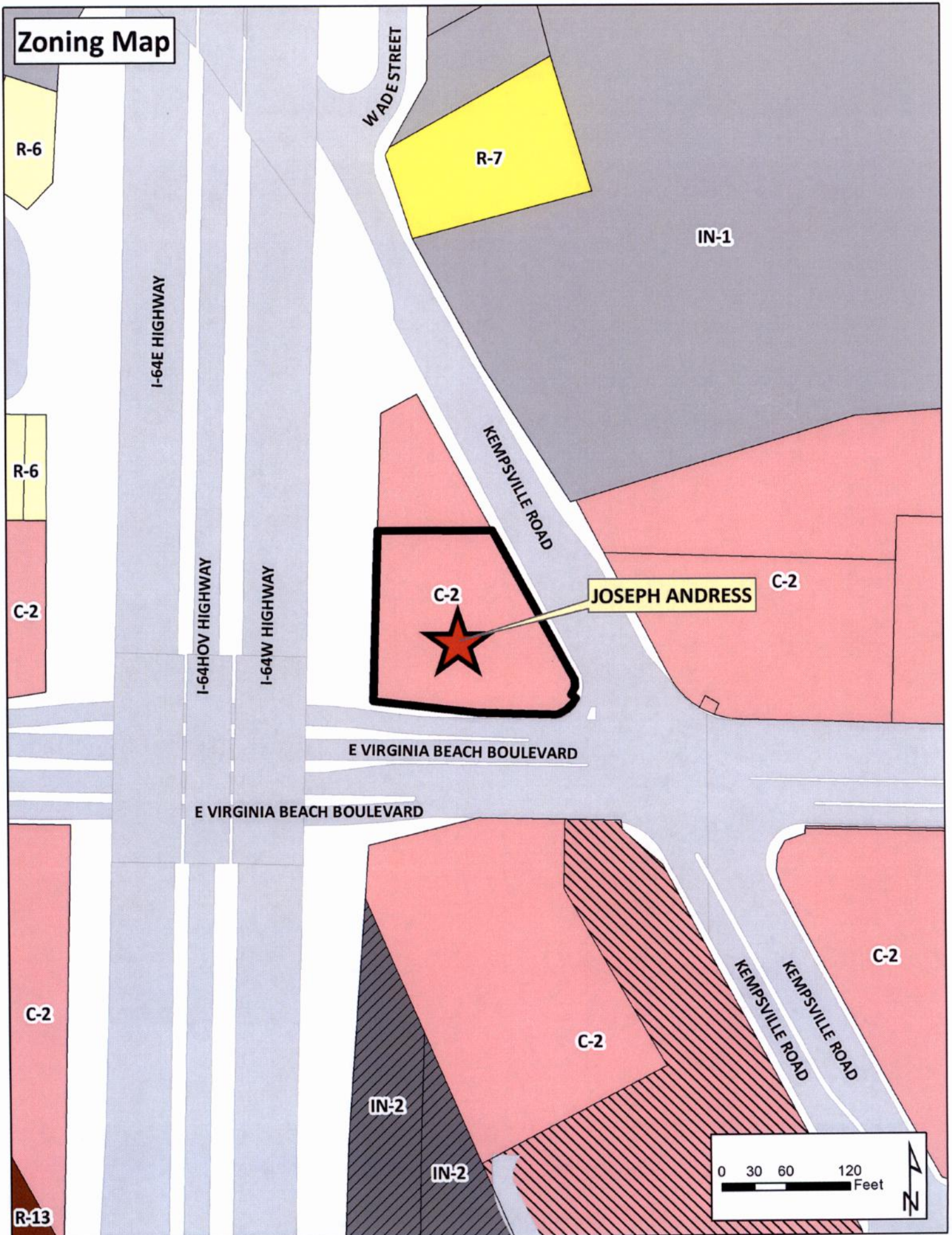


**Location Map**





# Zoning Map





## APPLICATION SPECIAL EXCEPTION

Special Exception for: Pawnshop

Date of application: \_\_\_\_\_

### DESCRIPTION OF PROPERTY

Property location: (Street Number) 6150 (Street Name) East Virginia Beach Blvd

Existing Use of Property Vacant

Current Building Square Footage ± 2,000 sq ft

Proposed Use E-commerce

Retail

Pawn shop

Proposed Square Footage \_\_\_\_\_

Proposed Hours of Operation:

Weekday From 9am To 6pm

Friday From 9am To 6pm

Saturday From 9am To 6pm

Sunday From N/A To N/A

Trade Name of Business (If applicable) \_\_\_\_\_

### DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)



Application  
Special Exception  
Page 2

**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Andress (First) Joseph (MI) D

Mailing address of applicant (Street/P.O. Box): 2100 Mediterranean Ave #153

(City) Virginia Beach (State) VA (Zip Code) 23451

Daytime telephone number of applicant (757) 737-3982 Fax ( ) \_\_\_\_\_

E-mail address of applicant: Joe@ElectronicPawn.com

**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) \_\_\_\_\_ (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): \_\_\_\_\_

(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code) \_\_\_\_\_

Daytime telephone number of applicant ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail address of applicant: \_\_\_\_\_

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Powell (First) Victoria (MI) J

Mailing address of property owner (Street/P.O. box): P.O. Box 575 or 6890 Hughes Rd

(City) Sandston (State) VA (Zip Code) 23150

Daytime telephone number of owner ( ) \_\_\_\_\_ email: Jarotoda@aol.com  
804 291 7918

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508  
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

**CIVIC LEAGUE INFORMATION**

Hollywood Homes / Maplewood.

Civic League contact: Bruce Erie - 757-404-2051

Date(s) contacted: July 30<sup>th</sup> 2015

Ward/Super Ward information: \_\_\_\_\_

**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Robert M. Thornton Sign: [Signature] / 04 Aug 2015  
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Joseph Andress Sign: [Signature] / 7 / 31 / 2015  
(Applicant) (Date)

**ONLY NEEDED IF APPLICABLE:**

Print name: Robert M. Thornton Sign: [Signature] / 04 Aug 2015  
(Authorized Agent Signature) (Date)

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508  
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)



## EXHIBIT B

Improvements to be made by Tenant on or before December 31, 2015:

- Remove wall paneling (replace 2x4 depending on the condition once paneling is removed)
- Install new drywall and blocking
- Pressure wash and paint exterior of building
- Prime and paint interior of building
- Replace kitchen tile (floor preparation before new tile install)
- Remove, cut and cap pipe on the right hand side
- Replace kitchen cabinets and counter tops
- Install new kitchen sink, door, microwave, refrigerator and stove
- Install new carpet and padding throughout building
- Install vanity sets in restrooms, sinks, light fixtures
- Install mirrors in restrooms
- Install new back door, weather stripping and trim
- Install new wood trim throughout building
- Central Air and Heating
- Replace light fixtures
- Replace ceiling tiles throughout and/ or remove and paint joists in main room

WP

JA

00h 2. 1h6

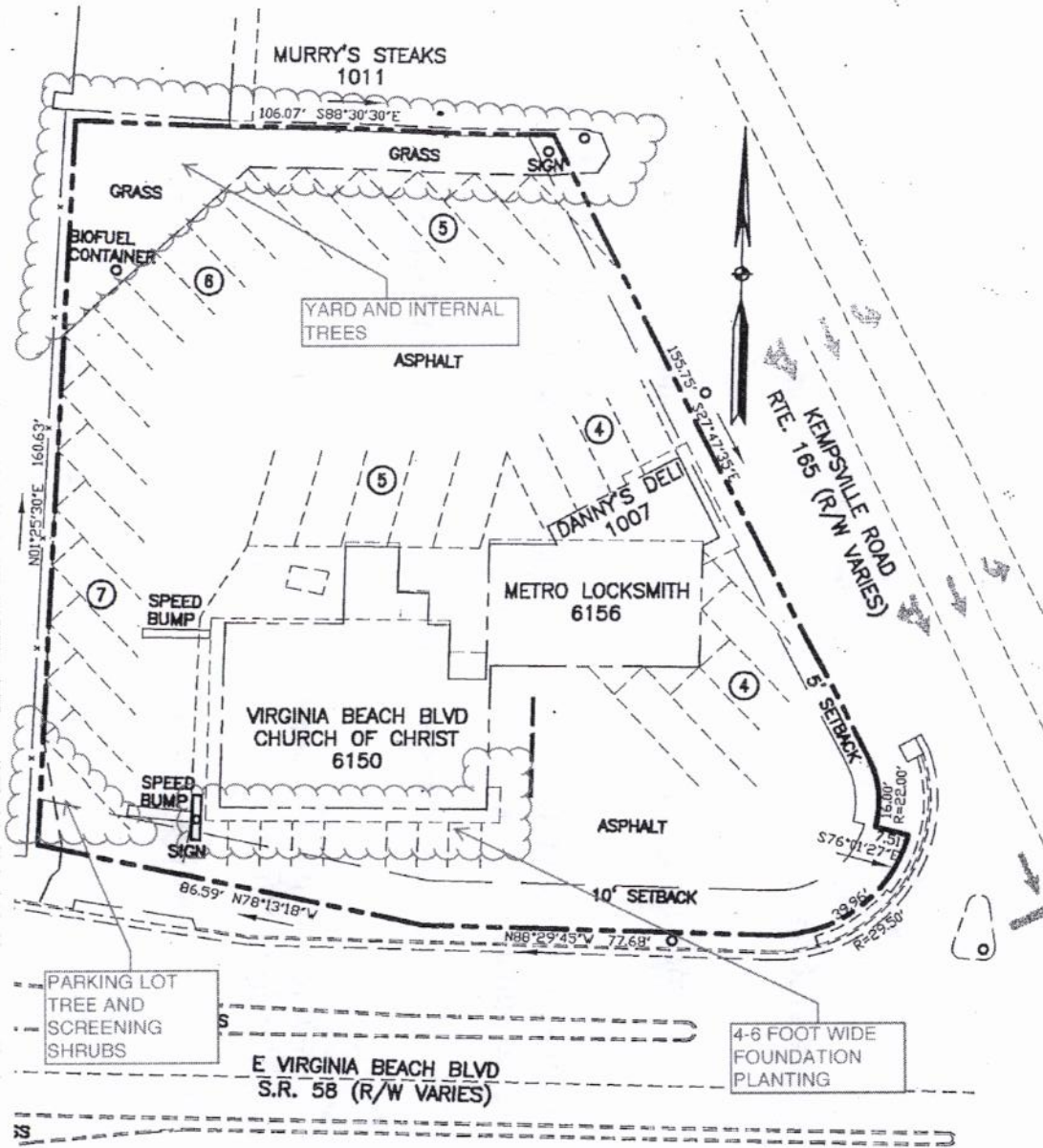
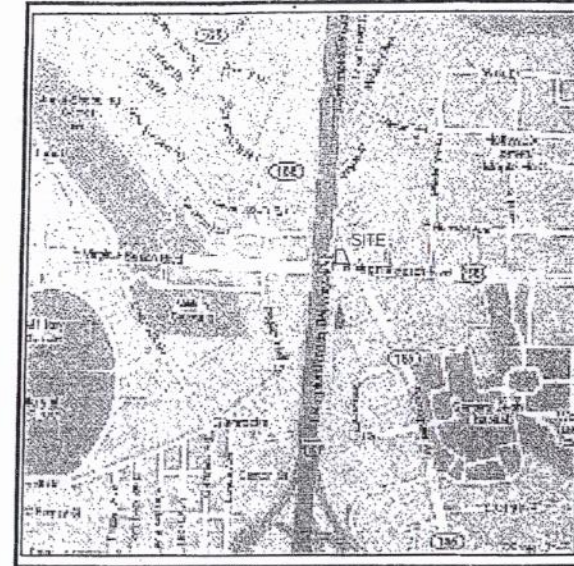


EXHIBIT "A"



VICINITY MAP

SCALE: 1"=1,000'

### Parking Summary Chart

PARKING REQUIREMENT FOR RELIGIOUS INSTITUTION:		
1 SPACE PER 50 SF IN ASSEMBLY AREA * 1,296 SF = 26 SPACES		
DESCRIPTION	REQUIRED	PROVIDED
STANDARD SPACES	24	31
COMPACT SPACES		0
HANDICAP ACCESSIBLE SPACES	1	0
VAN ACCESSIBLE SPACES	1	0
TOTAL SPACES	26	31
LOADING SPACES	1	1

### Zoning Summary Chart

C-2 CORRIDOR COMMERCIAL DISTRICT		
REQUIREMENTS	REQUIRED	PROVIDED
FRONT YARD SETBACK	10 FT	10 FT±
CORNER SIDE YARD SETBACK	5 FT	5 FT±
REAR YARD SETBACK	0	80 FT±
MAX. BUILDING HEIGHT	50 FT	1 STORY

RWE  
ENGINEERS

### RWE ENGINEERS

1044 TAYLOR ROAD  
VIRGINIA BEACH, VIRGINIA, 23464

TEL (757) 876-7135 • rwe@RWEengineers.com

### SITE EXHIBIT

#### VIRGINIA BEACH BLVD CHURCH OF CHRIST

6150 E VIRGINIA BEACH BLVD  
NORFOLK, VIRGINIA 23502

Landowner (owner) big license  
harry's banners crack

trans initial JD

Land initial



## Whitney, Chris

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**From:** Straley, Matthew  
**Sent:** Wednesday, August 12, 2015 2:38 PM  
**To:** 'bruce.erie@cox.net'; 'laketaylorcivicleague@gmail.com'  
**Cc:** Riddick, Paul; Williams, Angelia M.; Howard, Oneiceia; Whitney, Chris  
**Subject:** new Planning Commission application - 6150 E Virginia Beach Boulevard  
**Attachments:** Andress.pdf

Mr. Erie and Mr. Speight,

Attached please find the application for a special exception to operate a pawnshop at 6150 E Virginia Beach Boulevard.

The item is tentatively scheduled for the September 24, 2015 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Chris Whitney* at (757) 823-1253,  
[chris.whitney@norfolk.gov](mailto:chris.whitney@norfolk.gov)

Thank you.

### **Matthew Straley**

GIS Technician II  
Norfolk Department of City Planning  
810 Union Street, Suite 508 | Norfolk, Virginia 23510  
[Matthew.Straley@norfolk.gov](mailto:Matthew.Straley@norfolk.gov) | Tel: 757-664-4769 | Fax: 757-441-1569